



# STORM WATER POLLUTION PREVENTION PLANS (SWP3s)

## **SWP3 Requirements for Residential Development Permits**

### **Overview**

A Storm Water Pollution Prevention Plan (SWP3), which includes Erosion and Sediment Control (ESC) and other measures to limit storm water runoff pollution from construction activities, is required by the State of Texas Commission for Environmental Quality (TCEQ) as well as Travis County for certain types of construction. Residential construction permit applications must demonstrate compliance with SWP3 and ESC requirements as specified herein for County development permit approval.

### **Submit SWP3-Related Permit Documents to MyPermitNow.org**

Applicants must submit any of the SWP3-related documents listed below that are required for their residential permit application by uploading PDF document files to their MyPermitNow.org account, including:

- The SWP3 Summary Form
- TCEQ Notices: CSN, NOI, NOC, NOT
- Specific information from the SWP3 document, such as ESC measures or site plans, if requested by the County
- Other related information or revised documents requested by the County to review and approve the residential permit application

### **Residential Projects Which Require a SWP3**

*(item 1a on the current Residential Permit Checklist)*

If total residential construction activity disturbs 1 acre or MORE (total of all areas disturbed by construction; including foundations, driveways, lawns, landscaping, septic field, temporary staging areas), you are required to prepare and implement a SWP3. If residential construction activity disturbs LESS than one acre, but is contained within a larger subdivision or phased development plan considered a "Common Plan of Development", a SWP3 is also required. ALL residential development permit applications must provide the following information for the County to determine whether the project requires a SWP3:

- Total Disturbed Area - estimated total amount of disturbed areas within the Limits of Construction (LOC).
- Common Plan of Development Status - Information to determine whether the project is within a Common Plan of Development, for projects disturbing less than 1 acre. (Name of Subdivision, etc.)

### **Residential Projects Which DO NOT Require a SWP3**

*(item 1b on the current Residential Permit Checklist)*

Residential construction which disturbs LESS than 1 acre and is NOT located within a Common Plan of Development is not required to prepare a SWP3 document. However, even when a SWP3 Document is not required, ESCs and Best Management Practices (BMPs) are required to be used where necessary to prevent runoff impacts to adjacent properties, waterways, and or County right-of-way.

## **Permit Submittal Requirements for Residential Projects that Require a SWP3**

**SWP3 Summary Form** - If a SWP3 is required for a residential project, in lieu of submitting the entire SWP3 document for review, a completed copy of the SWP3 SUMMARY is provided with the permit application (See the SWP3 SUMMARY INSTRUCTIONS form)

**When SWP3 Document Review is Required** - The County may request to review portions of the actual SWP3 document itself (such as ESC measures) or request additional related information for residential projects that have any of the following attributes:

- Construction disturbance occurs on slopes steeper than 10% grade (10' fall in 100' of length)
- Cut or fill greater than four feet NOT under the building or driveway footprint.
- Disturbance next to waterways, or platted setbacks for waterways or critical environmental features.
- Disturbance exceptions to certain platted setbacks which are allowed by subdivision plat notes, including access routes to boat docks, trails, yards, or low impact park use.

**SWP3 Document Description and Qualifications** - A full SWP3 document consists of a narrative plan, descriptions, specifications of ESC and BMPs, and a detailed Site Plan to scale showing BMP locations and schedules for their installation. SWP3s are prepared by professionals or companies experienced in land development. After February 14, 2014, per County Code Section 82.934 (c), SWP3s must be prepared by a Professional Engineer (P.E.), or a Certified Professional in Erosion and Sediment Control (CPESC). The Environmental and Ecological Consultants section of the local business pages would be one resource for listings of professionals who prepare and inspect SWP3s.

## **SWP3-Related Permit Requirements for all Residential Construction**

As part of the assessment and review process for a SWP3 on residential permit applications, all projects are also required to address any of the related items below that are applicable:

- **Residential construction on subdivision lots with platted setbacks** - Lot construction disturbance may not encroach on any platted setbacks for protected environmental features such as greenbelts, waterways, caves, wetlands, or protected species habitat. SWP3 and ESC controls must protect these areas when adjacent to the lot construction, as well as protect adjacent right-of-way and easements from erosion and sedimentation.
- **Residential construction on non-subdivided land parcels** - Residential construction on *non-subdivided land parcels* must also comply with any County Code requirements that are applicable to the parcel, such as waterway or critical environmental feature setbacks. Information on any previously permitted development activities on the land parcel may also be requested in order to ensure only the new development activities are considered in the current permit application review.
- **Impervious Cover** - Residential construction projects OUTSIDE the City of Austin ETJ adding 10,000 square feet or more of NEW impervious cover (pavement, concrete, roofs, etc.) are required to provide a permanent water quality control plan to treat the additional runoff generated, per Code Section 82.944. Note: Review by the LCRA is also required if the project is located inside the Highland Lakes Watershed Ordinance (HLWO) jurisdictional area.

- **Cut and Fill Limits** - Cut and fill on most lots platted after 2005 OUTSIDE the Austin ETJ are restricted to eight (8) feet, except for driveways and building footprints, per Code Section 82.943. Cut and fill on lots INSIDE the Austin ETJ are restricted to four (4) feet. Please review subdivision plat notes for further details.
- **City of Austin Extraterritorial Jurisdiction (ETJ) requirements:**
  - SWP3 and ESC specifications follow the Austin Environmental Criteria Manual (ECM), including required certifications for those who prepare and inspect the SWP3.
  - Cut and fill on a platted lot may be restricted to four (4) feet: check subdivision plat notes.
  - Contact the City of Austin Development Assistance Center at 512-974-3670, or visit [www.austintexas.gov/development](http://www.austintexas.gov/development) for ordinances and technical manuals.
- **Highland Lakes Watershed Ordinance (HLWO) area, Lower Colorado River Authority (LCRA):**
  - Note: Projects greater than 1 acre disturbance and/or greater than 10,000SF new impervious cover require a separate LCRA permit/review in HLWO areas, which include the unincorporated portions of far western Travis County that drain into Lake Travis, including the Municipal ETJs of Lago Vista, Jonestown, Leander, and Briarcliff.
  - SWP3 and ESC specifications follow LCRA's HLWO Technical Manual.
  - Contact LCRA's HLWO Administrative Office at 512-473-3200, extension 2324, or visit [www.lcra.org/water/quality/watershed/index.html](http://www.lcra.org/water/quality/watershed/index.html) for HLWO documents and guidance info.

### **TCEQ Notice of Intent (NOI) and Construction Site Notice (CSN) Submittal**

Residential construction projects starting construction within 30 days of County permit issuance must provide a copy of their TCEQ CSN, and if 5 acres or greater, their NOI, prior to final issuance of a County Development Permit.

Residential construction projects starting construction 30 – 180 days after County permit issuance must send a copy of their NOI to the TNR Permit Center no later than 7 days prior to the start of construction and a copy of the CSN no later than 2 days prior to start of construction.

### **County Inspection of Residential Construction for SWP3 and ESC measures**

Travis County will inspect SWP3 and ESC measures on residential construction in the following instances:

- In response to complaints received
- In response to problems observed during scheduled inspections of other County permits for the residence, such as driveway or septic system permits.
- In response to problems observed during monitoring inspections of adjacent County development permits
- Note: TCEQ, LCRA, or Municipal inspectors may also monitor residential construction compliance

Residential permits do not require regular scheduled inspections for SWP3 and ESC controls by Travis County. However, if issues requiring correction are observed during one of the situations above, Travis County will schedule or perform follow-up inspections to ensure corrective actions are completed.

## **Owner/Operator SWP3 Responsibilities during Construction**

The land owner and contractor/primary operator are responsible for implementation of all SWP3 requirements throughout construction until final stabilization. A signed CSN must be posted, ESCs and other BMPs continuously implemented and maintained during construction, and final stabilization (sodding or seeding) begun upon completion of final grading. A qualified person must inspect the controls every 7 days and after rain events of 0.5 inches or more, and prepare a signed Inspection Report evaluating compliance and listing necessary corrective actions, per Code Section 82.951-52. After February 14, 2014, per Code Section 82.934 (c), SWP3 inspections and reports must be prepared and signed by either a Professional Engineer (P.E.), a Certified Professional in Erosion and Sediment Control (CPESC), a Certified Erosion, Sediment, and Storm Water Inspector (CESSWI), or a Certified Inspector of Erosion and Sediment Control (CISEC).

## **Summary of SWP3 Primary Controls for Residential Construction**

- **Most Common Construction Controls/Practices:** (*Temporary Sediment and Pollution Discharge Controls*)
  - Perimeter sediment controls, such as silt fence, mulch rolls, rock berms
  - Additional amounts of sediment controls are necessary for larger disturbed areas, and steep slopes and fill embankments, especially slopes greater than 10% (10' fall in 100' of length)
  - Protection of adjacent rights-of-way, curb inlets, drainage channels, and drainage easements from sedimentation
  - Protection of adjacent waterways/platted setbacks for Critical Environmental Features (CEFs)
  - Stabilized construction entrances and prevention of soil tracking onto roadways
  - Regular clean-up of all construction trash and solid wastes; use of sanitary facilities
  - Proper use and storage of industrial chemicals and materials; clean-up of spills
  - Controls for discharge of pooled water, paint, masonry and concrete washout
  - Protect trees in County right-of-way and those saved on the site from construction disturbances
- **Most Common Final Stabilization Controls/Practices:** (*Permanent Erosion Controls*)
  - Re-vegetation of lawns and all disturbed areas using sod, seed, or soil blanket (permanent erosion controls) - with adequate watering to ensure establishment
  - Additional amounts of permanent erosion control measures are necessary to stabilize steep slopes and fill embankments, especially slopes greater than 10% (10' fall in 100' of length)
  - Permanent landscaping, retaining walls, driveways
  - Dissipaters for roof downspouts, concentrated drainage flows, and outfall points

## **Contact Information**

- **Travis County TNR Storm Water Management Program (SWMP)**

Contact the TNR SWMP at (512) 854-7686 or email [SWMPinspection@co.travis.tx.us](mailto:SWMPinspection@co.travis.tx.us) or visit the SWMP web site at: [www.co.travis.tx.us/tnr/stormwater\\_management\\_program](http://www.co.travis.tx.us/tnr/stormwater_management_program) for additional information

- **Texas Commission on Environmental Quality**

Contact the TCEQ Storm Water and General Permits Program at (512) 239-4671 or visit the TCEQ web site for storm water construction permits at: [www.tceq.state.tx.us/nav/permits/wq\\_construction.html](http://www.tceq.state.tx.us/nav/permits/wq_construction.html)